

REMARKS

This Amendment is filed with a Notice of Appeal and a Pre-Appeal Brief Request for Review. These submissions are filed in response to the Final Office Action dated January 4, 2007 and the Advisory Action dated April 5, 2007.

Claims 1, 3-11, 13-30, 33-37, 39-45, 48-52 and 54-56 were previously pending in the application. Claims 21 and 54 have been amended in this paper. Claims 22 and 55 have been canceled and no claims have been added in this paper. Accordingly, claims 1, 3-11, 13-21, 23-30, 33-37, 39-45, 48-52, 54, and 56 are now pending in the application. The amendments add no new matter and are fully supported by the Specification as originally filed.

Title 35 of the U.S. Code provides in § 1.116(b)(2) that:

After a final rejection . . . but before or on the same date of filing an appeal . . . [a]n amendment presenting rejected claims in better form for consideration on appeal may be admitted.

Applicant respectfully submits that the above amendments present rejected claims 21 and 54 in a better form for consideration on appeal because the amendments address the pending rejections under 35 U.S.C. § 101. Accordingly, Applicant respectfully requests that the above amendments be entered for consideration on Appeal.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AE, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on May 7, 2007.

  
\_\_\_\_\_  
Attorney for Applicant

2007 May 7  
\_\_\_\_\_  
Date of Signature

Respectfully submitted,



Cyrus F. Bharucha  
Attorney for Applicant  
Reg. No. 42,324  
Telephone: (512) 439-5097  
Facsimile: (512) 439-5099